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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application No. 10/776,736

Confirmation No. 3623

Applicant: DEWAELE

Filed: February 10, 2004

TC/AU: 2624

Examiner: Fujita, Katrina R.

Docket No.: 226367 (Client Reference No. HEGN03029-STIMORIENT2)

Customer No.: 23460

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**REQUEST TO WITHDRAW ERRONEOUS HOLDING OF ABANDONMENT
OR, IN THE ALTERNATIVE,
PETITION TO REVIVE A PATENT APPLICATION ABANDONED
UNINTENTIONALLY UNDER 37 C.F.R. § 1.137(b)**

Sir:

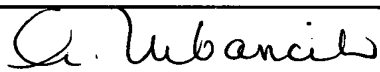
I. Request to Withdraw Erroneous Holding of Abandonment

Applicants request, pursuant to 37 C.F.R. § 1.8(b), that the holding of abandonment in the instant application be withdrawn.

A. Promptness of Submission

This request is being submitted promptly after Applicants have learned of the abandonment on the basis of the Notice of Abandonment mailed on October 16, 2007, and received by Applicants, on October 22, 2007.

B. Summary

Certification under 37 C.F.R. § 1.10 (if applicable)	
EV 741664919 US	October 24, 2007
"Express Mail" Mailing Number	Date of Deposit
I hereby certify that this application is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Commissioner for Patents, Washington, DC 20231.	
Angie Urbancik	
Typed or Printed Name of Person Making Deposit	Signature of Person Making Deposit

10776736

The application purportedly became abandoned, as the result of Applicants' failure to file a timely response to the Advisory Action mailed on February 28, 2007. Applicants believe that the abandonment is erroneous inasmuch as Applicants filed a reply to the Office Action on June 28, 2007, with a petition for a one-month extension of time.

C. Submission

In support of Applicants' request the following materials are submitted herewith:

1. A copy of Applicants' response and coversheet dated June 28, 2007, in which the Office is authorized to charge any fees in connection with the response to the undersigned's Deposit Account No. 12-1216, and on which appears a certification that the response was transmitted by facsimile transmission to the Office on June 28, 2007.
2. A copy of the facsimile transmittal cover sheet dated June 28, 2007.
3. A copy of the facsimile transmission result report dated June 28, 2007, at 4:21 PM, showing that 17 pages of transmission (the cover sheet and the reply) were successfully transmitted on the said date and time.

D. Statement

Attached hereto is a statement attesting to the timely transmission of the response referred to above based on personal knowledge.

E. Withdrawal of Abandonment

Applicants respectfully request acknowledgement of the active status of the instant application.

II. Alternative Petition to Revive a Patent Application Abandoned Unintentionally under 37 C.F.R § 1.137(B)

If the Office does not grant Applicants' request to withdraw the holding of abandonment, Applicants hereby petition in the alternative for the revival of the above-identified patent application.

A. Delay was Unintentional

If, notwithstanding the above Request, this application is deemed properly to have become abandoned, it is respectfully asserted that any failure to prosecute was an unintentional delay. The entire delay in filing the required reply from the due date until the filing of this petition was unintentional (indeed, as the foregoing indicates, the undersigned had understood until receipt of the Notice of Abandonment that the application was pending, as it was believed that the aforementioned response had been timely filed).

B. Required Response

The response and transmittal to the U.S. Patent and Trademark Office, via facsimile, on June 28, 2007, and Auto-Reply Facsimile Transmission Confirmation page, are attached.

C. Fee

The petition fee is \$1,540.00

D. Payment of Fee

Charge Deposit Account No. 12-1216 in the amount of \$1,540.00. (A duplicate copy of this communication is enclosed for that purpose.)

E. Authorization to Charge Additional Fees

If any additional fees are owed in connection with this communication, please charge Deposit Account No. 12-1216.

F. Instructions as to Overpayment

Credit Deposit Account No. 12-1216.

Respectfully submitted,



Christopher T. Griffith
One of the Attorneys for Applicants
LEYDIG, VOIT & MAYER, LTD.
Two Prudential Plaza, Suite 4900
180 North Stetson
Chicago, Illinois 60601-6780
(312) 616-5600 (telephone)
(312) 616-5700 (facsimile)

Date: October 24, 2007

**PATENT**

Attorney Docket No. 226367

Client Reference No. HEGN03029-Stimorient2

Date: June 28, 2007

In re Application of: DEWAELE
 Application No. 10/776,736
 Confirmation No. 3623
 Filed: February 10, 2004
 For: METHOD OF DETERMINING THE ORIENTATION OF AN IMAGE

Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a reply to office action in the subject application.

- ☐ Small entity status is claimed for this application under 37 CFR 1.27.
- ☒ Petition for an extension of time for the period noted below, as well as for any additional period necessary to render the present submission timely. Please charge Deposit Account No. 12-1216 for the appropriate petition fee.
- ☐ Other:
- ☒ Please charge Deposit Account No. 12-1216 in the total amount indicated below. A duplicate copy of this transmittal is enclosed herewith (unless submitted via EFS-Web).

					SMALL ENTITY		OTHER THAN A SMALL ENTITY	
TIME EXTENSION PETITION FEE			one-month		\$ 0.00		\$120.00	
subtract time extension fee previously paid			none		(\$ 0.00)		(\$ 0.00)	
CLAIM FEE	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	EXTRA CLAIMS PRESENT	RATE	ADD'L CLAIM FEE	RATE	ADD'L CLAIM FEE
TOTAL	16	MINUS	20	= 0	x 25 =	\$0.00	x 50 =	\$0
INDEPENDENT	3	MINUS	3	= 0	x 100 =	\$0.00	x 200 =	\$0
<input type="checkbox"/>	FIRST PRESENTATION OF MULTIPLE CLAIM				+ 180 =	\$0.00	+ 360 =	\$0
TOTAL AMOUNT TO BE CHARGED TO DEPOSIT ACCOUNT					TOTAL	\$0.00	TOTAL	\$120.00

- ☒ The Commissioner is hereby authorized to charge any deficiencies in the following fees associated with this communication or credit any overpayment to Deposit Account No. 12-1216.
- ☒ Any filing fees under 37 CFR 1.16 for the presentation of extra claims.
- ☒ Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

LEYDIG, VOIT & MAYER, LTD.
 Two Prudential Plaza, Suite 4900
 180 North Stetson Avenue
 Chicago, Illinois 60601-6731
 (312) 616-5600 (telephone)
 (312) 616-5700 (facsimile)

LEYDIG, VOIT & MAYER, LTD.

By


 Christopher T. Griffith, Reg. No. 33,392



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application No. 10/776,736

Confirmation No. 3623

Applicant: DEWAELE

Filed: February 10, 2004

TC/AU: 2624

Examiner: Fujita, Katrina R.

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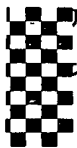
**STATEMENT ATTESTING TO THE TIMELY TRANSMISSION
OF RESPONSE BASED ON PERSONAL KNOWLEDGE**

Sir:

1. My name is Angie Urbancik. I am employed by the firm of Leydig, Voit & Mayer, Ltd., as an Administrative Assistant for the purpose of filing patent application papers for the firm's agents and attorneys with the U.S. Patent and Trademark Office.
2. On June 28, 2007, I transmitted by facsimile transmission a response in the above-identified patent application to the U.S. Patent and Trademark Office (copy attached).
3. The "Certificate of Mailing or Transmission under 37 C.F.R. § 1.8," ("the Certificate"), which appears at the bottom of the first page of the attached copy of the response, bears my signature. I signed the Certificate on June 28, 2007.
4. A copy of the transmitting facsimile's report confirming the transmission is also attached.


Angie Urbancik

Date: October 24, 2007



to-reply fax to 312 616 5700 COMPANY:

Auto-Reply Facsimile Transmission



TO:

Fax Sender at 312 616 5700

Fax Information

Date Received:

6/28/2007 4:06:16 PM [Eastern Daylight Time]

Total Pages:

17 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received
Cover
Page
=====>

JUN 28 2007 3:05 PM VV 312 616 5700

VD 5127 P. 1

LAW OFFICES
LEYDIG, VOIT & MAYER, LTD.
TWO PRUDENTIAL PLAZA, SUITE 4900
CHICAGO, ILLINOIS 60601-6780

TELEPHONE: (312) 616-5600

FAX: (312) 616-5700 (G3)
(312) 849-0495 (G4)**FAX TRANSMITTAL SHEET**

DATE: JUNE 28, 2007

NUMBER OF PAGES (INCLUDING
FAX TRANSMITTAL SHEET): 17

YOUR REFERENCE:

LVM REFERENCE: 226367

TO: MAIL STOP AMENDMENT
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

Telephone Number:

Fax Number: (571) 273-8300

FROM: CHRISTOPHER T. GRIFFITH
REGISTRATION NO. 33,392

Direct Line: 312-616-5677

MESSAGE:

IN RE APPLICATION OF: DEWAELE
APPLICATION NO. 10/776,730
FILED: FEBRUARY 10, 2004

ITEMS: 1. AMENDMENT TRANSMITTAL (IN DUPLICATE) (1 PG.)
2. REPLY TO OFFICE ACTION (14 PGS.)

A confirmation copy of the transmitted document will:

- ☒ Not be sent. This will be the only form of delivery of the transmitted document.
☐ Be sent via First Class/Air Mail.
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☐ Be sent via Federal Express
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LAW OFFICES
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TELEPHONE: (312) 616-5600

FAX: (312) 616-5700 (G3)
(312) 849-0495 (G4)

FAX TRANSMITTAL SHEET

DATE: JUNE 28, 2007

**NUMBER OF PAGES (INCLUDING
FAX TRANSMITTAL SHEET):**

17

YOUR REFERENCE:

LVM REFERENCE: 226367

To: MAIL STOP AMENDMENT
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

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